

AMENDMENTS TO LB 495

Introduced by Friend, 10.

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. (1) A city of the first or second class or
4 village shall provide written notice of a proposed annexation to
5 the owners of property within the area proposed for annexation in
6 the manner set out in this section.

7 (2) Initial notice of the proposed annexation shall be
8 sent to the owners of property within the area proposed for
9 annexation by regular United States mail, postage prepaid, to the
10 address of each owner of such property as it appears in the
11 records of the office of the register of deeds or as the address
12 is determined from another official source, postmarked at least
13 ten working days prior to the planning commission's public hearing
14 on the proposed change with a certified letter to the clerk of
15 any sanitary and improvement district if the annexation includes
16 property located within the boundaries of such district. Such
17 notice shall describe the area proposed for annexation, including
18 a map showing the boundaries of the area proposed for annexation,
19 and shall contain the date, time, and location of the planning
20 commission's hearing and how further information regarding the
21 annexation can be obtained, including the telephone number of
22 the pertinent city or village official and an electronic mail or
23 Internet address if available.

1 (3) A second notice of the proposed annexation shall be
2 sent to the same owners of property who were provided with notice
3 under subsection (2) of this section. Such notice shall be sent by
4 regular United States mail, postage prepaid, to the owner's address
5 as it appears in the records of the office of the register of
6 deeds or as the address is determined from another official source,
7 postmarked at least ten working days prior to the public hearing of
8 the city council or village board on the annexation. Such notice
9 shall describe the area proposed for annexation, including a map
10 showing the boundaries of the area proposed for annexation, and
11 shall contain the date, time, and location of the hearing and
12 how further information regarding the annexation can be obtained,
13 including the telephone number of the pertinent city or village
14 official and an electronic mail or Internet address if available.

15 (4) No additional or further notice beyond that required
16 by subsections (2) and (3) of this section shall be necessary if
17 the scheduled public hearing by the planning commission or city
18 council or village board on the proposed annexation is adjourned,
19 continued, or postponed until a later date.

20 (5) Except for a willful or deliberate failure to cause
21 notice to be given, no annexation decision made by a city of the
22 first or second class or village to accept or reject a proposed
23 annexation, either in whole or in part, shall be void, invalidated,
24 or affected in any way because of any irregularity, defect, error,
25 or failure on the part of the city or village or its employees
26 to cause notice to be given as required by this section if a
27 reasonable attempt to comply with this section was made. No action

1 to challenge the validity of the acceptance or rejection of a
2 proposed annexation on the basis of this section shall be filed
3 more than one year following the date after the formal acceptance
4 or rejection of the annexation by the city council or village
5 board.

6 (6) Except for a willful or deliberate failure to cause
7 notice to be given, the city of the first or second class or
8 village and its employees shall not be liable for any damage to
9 any person resulting from failure to cause notice to be given
10 as required by this section if a reasonable attempt was made to
11 provide such notice. No action for damages resulting from the
12 failure to cause notice to be provided as required by this section
13 shall be filed more than one year following the date after the
14 formal acceptance or rejection of the proposed annexation, either
15 in whole or in part, by the city council or village board.

16 (7) For purposes of this section, owner means the owner
17 of a piece of property as indicated on the records of the office
18 of the register of deeds as provided to or made available to the
19 city of the first or second class or village no earlier than the
20 last business day before the twenty-fifth day preceding the public
21 hearing by the planning commission on the annexation proposed for
22 the subject property.

23 Sec. 2. Section 14-2102, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 14-2102 In each metropolitan utilities district service
26 area, there shall be a board of directors consisting of seven
27 members. The members shall be elected as provided in section

1 32-540.

2 Registered voters within the boundaries of the district
3 shall be registered voters of such district and shall be eligible
4 for the office of director subject to the special qualification
5 of residence for the outside member. The outside member specified
6 in section 32-540 shall be a registered voter residing within
7 the district but outside the corporate limits of the city of the
8 metropolitan class for which the district was created.

9 In the event of the annexation of the area within which
10 the outside member resides, he or she may continue to serve as
11 the outside member until the expiration of the term of office for
12 which such member was elected and until a successor is elected and
13 qualified.

14 Sec. 3. Section 15-268, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 15-268 A ~~primary~~ city of the primary class may provide
17 for the destruction and removal of weeds and worthless vegetation
18 growing upon any lot or lots or lands within the corporate limits
19 of such city or upon the streets and alleys abutting upon any
20 lot or lots or lands, and such city may require the owner or
21 owners of such lot or lots or lands to destroy and remove the same
22 therefrom and from the streets and alleys abutting thereon. If the
23 ~~owner or owners fail, neglect, or refuse,~~ after five days' notice
24 by publication, ~~or~~ by certified United States mail, or by the
25 conspicuous posting of the notice on the lot or land upon which the
26 nuisance exists, the owner or owners fail, neglect, or refuse to
27 destroy or remove the ~~same,~~ nuisance, the city, through its proper

1 officers, shall destroy and remove the ~~same~~ nuisance, or cause the
2 ~~same nuisance~~ to be destroyed or removed, from the lot or lots or
3 lands and streets and alleys abutting thereon and shall assess the
4 cost thereof against such lot or lots or lands, as provided by
5 ordinance.

6 Sec. 4. Section 16-117, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 16-117 (1) Except as provided in sections 13-1111 to
9 13-1120 and section 5 of this act and subject to this section,
10 the mayor and city council of a city of the first class may
11 by ordinance at any time include within the corporate limits of
12 such city any contiguous or adjacent lands, lots, tracts, streets,
13 or highways as are urban or suburban in character and in such
14 direction as may be deemed proper. Such grant of power shall not
15 be construed as conferring power upon the mayor and city council
16 to extend the limits of a city of the first class over any
17 agricultural lands which are rural in character.

18 (2) The invalidity of the annexation of any tract of land
19 in one ordinance shall not affect the validity of the remaining
20 tracts of land which are annexed by the ordinance and which
21 otherwise conform to state law.

22 (3) The city council proposing to annex land under the
23 authority of this section shall first adopt both a resolution
24 stating that the city is proposing the annexation of the land and a
25 plan for extending city services to the land. The resolution shall
26 state:

27 (a) The time, date, and location of the public hearing

1 required by subsection (5) of this section;

2 (b) A description of the boundaries of the land proposed
3 for annexation; and

4 (c) That the plan of the city for the extension of city
5 services to the land proposed for annexation is available for
6 inspection during regular business hours in the office of the city
7 clerk.

8 (4) The plan adopted by the city council shall contain
9 sufficient detail to provide a reasonable person with a full and
10 complete understanding of the proposal for extending city services
11 to the land proposed for annexation. The plan shall (a) state
12 the estimated cost impact of providing the services to such land,
13 (b) state the method by which the city plans to finance the
14 extension of services to the land and how any services already
15 provided to the land will be maintained, (c) include a timetable
16 for extending services to the land proposed for annexation, and
17 (d) include a map drawn to scale clearly delineating the land
18 proposed for annexation, the current boundaries of the city, the
19 proposed boundaries of the city after the annexation, and the
20 general land-use pattern in the land proposed for annexation.

21 (5) A public hearing on the proposed annexation shall be
22 held within sixty days following the adoption of the resolution
23 proposing to annex land to allow the city council to receive
24 testimony from interested persons. The city council may recess
25 the hearing, for good cause, to a time and date specified at the
26 hearing.

27 (6) A copy of the resolution providing for the public

1 hearing shall be published in the official newspaper in the city
2 at least once not less than ten days preceding the date of the
3 public hearing. A map drawn to scale delineating the land proposed
4 for annexation shall be published with the resolution. A copy of
5 the resolution providing for the public hearing shall be sent by
6 first-class mail following its passage to the school board of any
7 school district in the land proposed for annexation.

8 (7) Any owner of property contiguous or adjacent to a
9 city of the first class may by petition request that such property
10 be included within the corporate limits of such city. The mayor and
11 city council may include such property within the corporate limits
12 of the city without complying with subsections (3) through (6) of
13 this section.

14 (8) Notwithstanding the requirements of this section, the
15 mayor and city council are not required to approve any petition
16 requesting annexation or any resolution or ordinance proposing to
17 annex land pursuant to this section.

18 Sec. 5. (1) The provisions of this section shall govern
19 annexation by a city of the first class located in whole or in part
20 within the boundaries of a county having a population in excess of
21 one hundred thousand inhabitants but less than two hundred thousand
22 inhabitants.

23 (2) Except as provided in sections 13-1111 to 13-1120 and
24 subject to this section, the mayor and city council of a city of
25 the first class described in subsection (1) of this section may
26 by ordinance at any time include within the corporate limits of
27 such city any contiguous or adjacent lands, lots, tracts, streets,

1 or highways as are urban or suburban in character and in such
2 direction as may be deemed proper. Such grant of power shall not
3 be construed as conferring power upon the mayor and city council to
4 extend the limits of such a city over any agricultural lands which
5 are rural in character.

6 (3) The invalidity of the annexation of any tract of land
7 in one ordinance shall not affect the validity of the remaining
8 tracts of land which are annexed by the ordinance and which
9 otherwise conform to state law.

10 (4) Any owner of property contiguous or adjacent to such
11 a city may by petition request that such property be included
12 within the corporate limits of such city.

13 (5) Notwithstanding the requirements of this section, the
14 mayor and city council are not required to approve any petition
15 requesting annexation or any resolution or ordinance proposing to
16 annex land pursuant to this section.

17 (6) Not later than fourteen days prior to the public
18 hearing before the planning commission on a proposed annexation
19 by the city, the city clerk shall send notice of the proposed
20 annexation by certified mail, return receipt requested, to any
21 of the following entities serving customers in such city or in
22 the area proposed for annexation: Any natural gas public utility
23 as defined in section 66-1802; any natural gas utility owned
24 or operated by the city; any metropolitan utilities district;
25 any public power district; any public power and irrigation
26 district; any municipality; any electric cooperative; and any
27 other governmental entity providing electric service. Such notice

1 shall include a copy of the proposed annexation ordinance, the
2 date, time, and place of the public hearing before the planning
3 commission on the proposed annexation ordinance, and a map showing
4 the boundaries of the area proposed for annexation.

5 (7) Prior to the final adoption of the annexation
6 ordinance, the minutes of the city council meeting at which
7 such final adoption was considered shall reflect formal compliance
8 with the provisions of subsection (6) of this section.

9 (8) No additional or further notice beyond that required
10 by subsection (6) of this section shall be necessary in the
11 event (a) that the scheduled city council public hearing on the
12 proposed annexation is adjourned, continued, or postponed until a
13 later date or (b) that subsequent to providing such notice the
14 ordinance regarding such proposed annexation was amended, changed,
15 or rejected by action of the city council prior to formal passage
16 of the annexation ordinance.

17 (9) Except for a willful or deliberate failure to cause
18 notice to be given, no annexation decision made by a city either
19 to accept or reject a proposed annexation, either in whole or in
20 part, shall be void, invalidated, or affected in any way because
21 of any irregularity, defect, error, or failure on the part of the
22 city or its employees to cause notice to be given as required by
23 this section if a reasonable attempt to comply with this section
24 was made.

25 (10) Except for a willful or deliberate failure to cause
26 notice to be given, the city and its employees shall not be
27 liable for any damage to any person resulting from any failure

1 to cause notice to be given as required by this section when a
2 reasonable attempt was made to provide such notice. No action for
3 damages resulting from the failure to cause notice to be provided
4 as required by this section shall be filed more than one year
5 following the date of the formal acceptance or rejection of the
6 proposed annexation, either in whole or in part, by the city
7 council.

8 (11) No action to challenge the validity of the
9 acceptance or rejection of a proposed annexation on the basis of
10 this section shall be filed more than one year following the date
11 of the formal acceptance or rejection of the annexation by the city
12 council.

13 Sec. 6. Section 16-230, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 16-230 (1) A city of the first class by ordinance may
16 require lots or pieces of ground within the city or within
17 ~~two miles of the corporate limits of the city~~ the city's
18 extraterritorial zoning jurisdiction to be drained or filled so
19 as to prevent stagnant water or any other nuisance accumulating
20 thereon. ~~It~~ Except as provided in subsection (6) of this section,
21 the city may require the owner or occupant of all lots and
22 pieces of ground within the city to keep the lots and pieces
23 of ground and the adjoining streets and alleys free of any
24 growth of twelve inches or more in height of weeds, grasses, or
25 worthless vegetation, and it may prohibit and control the throwing,
26 depositing, or accumulation of litter on any lot or piece of ground
27 within the city.

1 (2) ~~Any~~ Except as provided in subsection (6) of this
2 section, any city of the first class may by ordinance declare it
3 to be a nuisance to permit or maintain any growth of twelve inches
4 or more in height of weeds, grasses, or worthless vegetation or to
5 litter or cause litter to be deposited or remain thereon except in
6 proper receptacles.

7 (3) Any owner or occupant of a lot or piece of ground
8 shall, upon conviction of violating ~~such~~ any ordinance authorized
9 under this section, be guilty of a Class V misdemeanor.

10 (4) Notice to abate and remove such nuisance shall be
11 given to each owner or owner's duly authorized agent and to the
12 occupant, if any, by personal service or certified mail. If notice
13 by personal service or certified mail is unsuccessful, notice shall
14 be given by publication in a newspaper of general circulation in
15 the city or by conspicuously posting the notice on the lot or
16 ground upon which the nuisance is to be abated and removed. Within
17 five days after receipt of such notice or publication or posting,
18 whichever is applicable, if the owner or occupant of the lot or
19 piece of ground does not request a hearing with the city or fails
20 to comply with the order to abate and remove the nuisance, the city
21 may have such work done. The costs and expenses of any such work
22 shall be paid by the owner. If unpaid for two months after such
23 work is done, the city may either (a) levy and assess the costs and
24 expenses of the work upon the lot or piece of ground so benefited
25 in the same manner as other special taxes for improvements are
26 levied and assessed or (b) recover in a civil action the costs
27 and expenses of the work upon the lot or piece of ground and the

1 adjoining streets and alleys.

2 (5) For purposes of this section:

3 (a) Litter includes, but is not limited to: (i) Trash,
4 rubbish, refuse, garbage, paper, rags, and ashes; (ii) wood,
5 plaster, cement, brick, or stone building rubble; (iii) grass,
6 leaves, and worthless vegetation; (iv) offal and dead animals;
7 and (v) any machine or machines, vehicle or vehicles, or parts of
8 a machine or vehicle which have lost their identity, character,
9 utility, or serviceability as such through deterioration,
10 dismantling, or the ravages of time, are inoperative or unable to
11 perform their intended functions, or are cast off, discarded, or
12 thrown away or left as waste, wreckage, or junk; and

13 (b) Weeds includes, but is not limited to, bindweed
14 (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*),
15 leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*),
16 perennial peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea*
17 *picris*), Johnson grass (*Sorghum halepense*), nodding or musk
18 thistle, quack grass (*Agropyron repens*), perennial sow thistle
19 (*Sonchus arvensis*), horse nettle (*Solanum carolinense*), bull
20 thistle (*Cirsium lanceolatum*), buckthorn (*Rhamnus sp.*) (tourn),
21 hemp plant (*Cannabis sativa*), and ragweed (*Ambrosiaceae*); and-

22 (c) Weeds, grasses, and worthless vegetation does not
23 include vegetation applied or grown on a lot or piece of ground
24 outside the corporate limits of the city but inside the city's
25 extraterritorial zoning jurisdiction expressly for the purpose of
26 weed or erosion control.

27 (6) A city of the first class by ordinance may declare it

1 to be a nuisance to permit or maintain any growth of eight inches
2 or more in height of weeds, grasses, or worthless vegetation on any
3 lot or piece of ground located within the corporate limits of the
4 city during any calendar year if, within the same calendar year,
5 the city has, pursuant to subsection (4) of this section, acted
6 to remove weeds, grasses, or worthless vegetation exceeding twelve
7 inches in height on the same lot or piece of ground and had to seek
8 recovery of the costs and expenses of such work from the owner.

9 Sec. 7. Section 17-405.01, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 17-405.01 (1) Except as provided in subsection (2) of
12 this section and section 8 of this act, the mayor and council
13 of any city of the second class or the chairperson and members
14 of the board of trustees of any village may by ordinance, except
15 as provided in sections 13-1111 to 13-1118, at any time, include
16 within the corporate limits of such city or village any contiguous
17 or adjacent lands, lots, tracts, streets, or highways as are
18 urban or suburban in character, and in such direction as may
19 be deemed proper. Such grant of power shall not be construed as
20 conferring power to extend the limits of any municipality over any
21 agricultural lands which are rural in character.

22 (2) The mayor and city council of any city of the
23 second class or the chairperson and members of the board of
24 trustees of any village may, by ordinance, annex any lands, lots,
25 tracts, streets, or highways which constitute a redevelopment
26 project area so designated by the city or village or its community
27 redevelopment authority in accordance with the provisions of the

1 Community Development Law and sections 18-2145 to 18-2154 when such
2 annexation is for the purpose of implementing a lawfully adopted
3 redevelopment plan containing a provision dividing ad valorem
4 taxes as provided in subsection (1) of section 18-2147 and which
5 will involve the construction or development of an agricultural
6 processing facility, notwithstanding that such lands, lots, tracts,
7 streets, or highways are not contiguous or adjacent or are not
8 urban or suburban in character. Such annexation shall comply with
9 all other provisions of law relating to annexation generally for
10 cities of the second class and villages. The city or village shall
11 not, in consequence of the annexation under this subsection of any
12 noncontiguous land, exercise the authority granted to it by statute
13 to extend its jurisdiction beyond its corporate boundaries for
14 purposes of planning, zoning, or subdivision development without
15 the agreement of any other city, village, or county currently
16 exercising such jurisdiction over the area surrounding the annexed
17 redevelopment project area. The annexation of any noncontiguous
18 land undertaken pursuant to this subsection shall not result in
19 any change in the service area of any electric utility without
20 the express agreement of the electric utility serving the annexed
21 noncontiguous area at the time of annexation, except that at such
22 time following the annexation of the noncontiguous area as the city
23 or village lawfully annexes sufficient intervening territory so as
24 to directly connect the noncontiguous area to the main body of
25 the city or village, such noncontiguous area shall, solely for the
26 purposes of section 70-1008, be treated as if it had been annexed
27 by the city or village on the date upon which the connecting

1 intervening territory had been formally annexed.

2 (3) For the purposes of subsection (2) of this section,
3 agricultural processing facility means a plant or establishment
4 where value is added to agricultural commodities through
5 processing, fabrication, or other means and where eighty percent
6 or more of the direct sales from the facility are to other than
7 the ultimate consumer of the processed commodities. A facility
8 shall not qualify as an agricultural processing facility unless its
9 construction or development involves the investment of more than
10 one million dollars derived from nongovernmental sources.

11 Sec. 8. (1) The provisions of this section shall govern
12 annexation by a city of the second class or village located in
13 whole or in part within the boundaries of a county having a
14 population in excess of one hundred thousand inhabitants but less
15 than two hundred thousand inhabitants.

16 (2) The mayor and council of any city of the second
17 class or the chairperson and members of the board of trustees
18 of any village described in subsection (1) of this section may
19 by ordinance, except as provided in sections 13-1111 to 13-1118,
20 at any time include within the corporate limits of such city or
21 village any contiguous or adjacent lands, lots, tracts, streets,
22 or highways as are urban or suburban in character and in such
23 direction as may be deemed proper. Such grant of power shall
24 not be construed as conferring power to extend the limits of any
25 such municipality over any agricultural lands which are rural in
26 character.

27 (3) Not later than fourteen days prior to the public

1 hearing before the planning commission on a proposed annexation
2 by the city or village, the city or village clerk shall send
3 notice of the proposed annexation by certified mail, return receipt
4 requested, to any of the following entities serving customers in
5 such city or village or in the area proposed for annexation: Any
6 natural gas public utility as defined in section 66-1802; any
7 natural gas utility owned or operated by the city or village;
8 any metropolitan utilities district; any public power district;
9 any public power and irrigation district; any municipality; any
10 electric cooperative; and any other governmental entity providing
11 electric service. Such notice shall include a copy of the proposed
12 annexation ordinance, the date, time, and place of the public
13 hearing before the planning commission on the proposed annexation
14 ordinance, and a map showing the boundaries of the area proposed
15 for annexation.

16 (4) Prior to the final adoption of the annexation
17 ordinance, the minutes of the city council or village board
18 meeting at which such final adoption was considered shall reflect
19 formal compliance with the provisions of subsection (3) of this
20 section.

21 (5) No additional or further notice beyond that required
22 by subsection (3) of this section shall be necessary in the event
23 (a) that the scheduled city council or village board public hearing
24 on the proposed annexation is adjourned, continued, or postponed
25 until a later date or (b) that subsequent to providing such notice
26 the ordinance regarding such proposed annexation was amended,
27 changed, or rejected by action of the city council or village board

1 prior to formal passage of the annexation ordinance.

2 (6) Except for a willful or deliberate failure to cause
3 notice to be given, no annexation decision made by a city of the
4 second class or village either to accept or reject a proposed
5 annexation, either in whole or in part, shall be void, invalidated,
6 or affected in any way because of any irregularity, defect, error,
7 or failure on the part of the city or village or its employees
8 to cause notice to be given as required by this section if a
9 reasonable attempt to comply with this section was made.

10 (7) Except for a willful or deliberate failure to cause
11 notice to be given, the city or village and its employees shall
12 not be liable for any damage to any person resulting from any
13 failure to cause notice to be given as required by this section
14 when a reasonable attempt was made to provide such notice. No
15 action for damages resulting from the failure to cause notice to be
16 provided as required by this section shall be filed more than one
17 year following the date of the formal acceptance or rejection of
18 the proposed annexation, either in whole or in part, by the city
19 council or village board.

20 (8) No action to challenge the validity of the acceptance
21 or rejection of a proposed annexation on the basis of this section
22 shall be filed more than one year following the date of the formal
23 acceptance or rejection of the annexation by the city council or
24 village board.

25 Sec. 9. Section 17-563, Reissue Revised Statutes of
26 Nebraska, is amended to read:

27 17-563 (1) ~~Each~~ Except as provided in subsection (6) of

1 this section, a city of the second class and village by ordinance
2 (a) may require lots or pieces of ground within the city or village
3 to be drained or filled so as to prevent stagnant water or any
4 other nuisance accumulating thereon, (b) - ~~It~~ may require the
5 owner or occupant of any lot or piece of ground within the city
6 or village to keep the lot or piece of ground and the adjoining
7 streets and alleys free of any growth of twelve inches or more in
8 height of weeds, grasses, or worthless vegetation, and ~~it~~ (c) may
9 prohibit and control the throwing, depositing, or accumulation of
10 litter on any lot or piece of ground within the city or village.

11 (2) ~~Any~~ Except as provided in subsection (6) of this
12 section, any city of the second class and village may by ordinance
13 declare it to be a nuisance to permit or maintain any growth of
14 twelve inches or more in height of weeds, grasses, or worthless
15 vegetation or to litter or cause litter to be deposited or remain
16 thereon except in proper receptacles.

17 (3) Any owner or occupant of a lot or piece of ground
18 shall, upon conviction of violating ~~such~~ any ordinance authorized
19 under this section, be guilty of a Class V misdemeanor.

20 (4) Notice to abate and remove such nuisance shall be
21 given to each owner or owner's duly authorized agent and to the
22 occupant, if any, by personal service or certified mail. If notice
23 by personal service or certified mail is unsuccessful, notice shall
24 be given by publication in a newspaper of general circulation in
25 the city or by conspicuously posting the notice on the lot or
26 ground upon which the nuisance is to be abated and removed. Within
27 five days after receipt of such notice or publication or posting,

1 whichever is applicable, if the owner or occupant of the lot or
2 piece of ground does not request a hearing with the city or village
3 or fails to comply with the order to abate and remove the nuisance,
4 the city or village may have such work done. The costs and expenses
5 of any such work shall be paid by the owner. If unpaid for two
6 months after such work is done, the city or village may either (a)
7 levy and assess the costs and expenses of the work upon the lot or
8 piece of ground so benefited in the same manner as other special
9 taxes for improvements are levied and assessed or (b) recover in
10 a civil action the costs and expenses of the work upon the lot or
11 piece of ground and the adjoining streets and alleys.

12 (5) For purposes of this section:

13 (a) Litter includes, but is not limited to: (i) Trash,
14 rubbish, refuse, garbage, paper, rags, and ashes; (ii) wood,
15 plaster, cement, brick, or stone building rubble; (iii) grass,
16 leaves, and worthless vegetation; (iv) offal and dead animals;
17 and (v) any machine or machines, vehicle or vehicles, or parts of
18 a machine or vehicle which have lost their identity, character,
19 utility, or serviceability as such through deterioration,
20 dismantling, or the ravages of time, are inoperative or unable to
21 perform their intended functions, or are cast off, discarded, or
22 thrown away or left as waste, wreckage, or junk; and

23 (b) Weeds includes, but is not limited to, bindweed
24 (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*),
25 leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*),
26 perennial peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea*
27 *picris*), Johnson grass (*Sorghum halepense*), nodding or musk

1 thistle, quack grass (Agropyron repens), perennial sow thistle
2 (Sonchus arvensis), horse nettle (Solanum carolinense), bull
3 thistle (Cirsium lanceolatum), buckthorn (Rhamnus sp.) (tourn),
4 hemp plant (Cannabis sativa), and ragweed (Ambrosiaceae).

5 (6) A city of the second class or village by ordinance
6 may declare it to be a nuisance to permit or maintain any growth
7 of eight inches or more in height of weeds, grasses, or worthless
8 vegetation on any lot or piece of ground located within the
9 corporate limits of the city or village during any calendar year
10 if, within the same calendar year, the city has, pursuant to
11 subsection (4) of this section, acted to remove weeds, grasses, or
12 worthless vegetation exceeding twelve inches in height on the same
13 lot or piece of ground and had to seek recovery of the costs and
14 expenses of such work from the owner.

15 Section 10. Section 19-916, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 19-916 ~~(1)~~ The proprietor or proprietors of any land
18 within the corporate limits of any city of the first or second
19 class or village, or of any land within the area designated by
20 a city of the first class pursuant to subsection ~~(1)~~ of section
21 16-902 or within the area designated by a city of the second
22 class or village pursuant to subsection ~~(1)~~ of section 17-1002,
23 may lay out such land into lots, blocks, streets, avenues, alleys,
24 and other grounds under the name of Addition to the
25 City or Village of, and shall cause an accurate map
26 or plat thereof to be made out, designating explicitly the land
27 so laid out and particularly describing the lots, blocks, streets,

1 ~~avenues, alleys, and other grounds belonging to such addition. The~~
2 ~~lots shall be designated by numbers, and streets, avenues, and~~
3 ~~other grounds, by names or numbers. Such plat shall be acknowledged~~
4 ~~before some officer authorized to take the acknowledgments of~~
5 ~~deeds, and shall contain a dedication of the streets, alleys,~~
6 ~~and public grounds therein to the use and benefit of the public,~~
7 ~~and have appended a survey made by some competent surveyor with~~
8 ~~a certificate attached, certifying that he or she has accurately~~
9 ~~surveyed such addition and that the lots, blocks, streets, avenues,~~
10 ~~alleys, parks, commons, and other grounds are well and accurately~~
11 ~~staked off and marked. When such map or plat is so made out,~~
12 ~~acknowledged, and certified, and has been approved by the local~~
13 ~~legislative body, the same shall be filed and recorded in the~~
14 ~~office of the register of deeds and county assessor of the county.~~

15 (1) The local legislative body shall have power by
16 ordinance to provide the manner, plan, or method by which land
17 within the corporate limits of any such municipality, or land
18 within the area designated by a city of the first class pursuant
19 to subsection (1) of section 16-902 or within the area designated
20 by a city of the second class or village pursuant to subsection
21 (1) of section 17-1002, may be subdivided, platted, or laid out,
22 including a plan or system for the avenues, streets, or alleys to
23 be laid out within or across such land, and to compel the owners
24 of any such land that are subdividing, platting, or laying out such
25 land to conform to the requirements of the ordinance and to lay
26 out and dedicate the avenues, streets, and alleys in accordance
27 with the ordinance as provided in sections 16-901 to 16-905 and

1 sections 17-1001 to 17-1004. No addition shall have any validity,
2 right, or privileges as an addition, and no plat of land or, in
3 the absence of a plat, no instrument subdividing land within the
4 corporate limits of any such municipality or of any land within the
5 area designated by a city of the first class pursuant to subsection
6 (1) of section 16-902 or within the area designated by a city of
7 the second class or village pursuant to subsection (1) of section
8 17-1002, shall be recorded or have any force or effect, unless
9 the plat or instrument is approved by the legislative body, or its
10 designated agent, and the legislative body's or agent's approval is
11 endorsed on such plat or instrument.

12 (2) The legislative body may designate by ordinance an
13 employee of such city or village to approve further subdivision of
14 existing lots and blocks whenever all required public improvements
15 have been installed, no new dedication of public rights-of-way
16 or easements is involved, and such subdivision complies with the
17 ordinance requirements concerning minimum areas and dimensions of
18 such lots and blocks.

19 ~~(3) Upon approval by the legislative body or its~~
20 ~~designated agent, such plat shall be equivalent to a deed in~~
21 ~~fee simple absolute to the municipality from the proprietor of all~~
22 ~~streets, avenues, alleys, public squares, parks and commons, and~~
23 ~~of such portion of the land as is therein set apart for public~~
24 ~~and municipal use, or is dedicated to charitable, religious, or~~
25 ~~educational purposes.~~

26 All additions thus laid out and previously located within
27 the corporate boundaries of the municipality shall remain a part of

1 ~~the municipality.~~

2 ~~(4)~~ (3) All additions laid out ~~adjoining or~~ contiguous
3 or adjacent to the corporate limits may be included within the
4 corporate limits and become a part of such municipality for all
5 purposes whatsoever if approved by the legislative body of the city
6 or village under this subsection. The proprietor or proprietors of
7 any land within the corporate limits of any city of the first or
8 second class or village, or of any land contiguous or adjacent
9 to the corporate limits may lay out such land into lots, blocks,
10 streets, avenues, alleys, and other grounds under the name of
11 Addition to the City or Village of, and shall
12 cause an accurate map or plat thereof to be made out, designating
13 explicitly the land so laid out and particularly describing the
14 lots, blocks, streets, avenues, alleys, and other grounds belonging
15 to such addition. The lots shall be designated by numbers, and
16 streets, avenues, and other grounds, by names or numbers. Such
17 plat shall be acknowledged before some officer authorized to take
18 the acknowledgments of deeds, and shall contain a dedication of
19 the streets, alleys, and public grounds therein to the use and
20 benefit of the public, and have appended a survey made by some
21 competent surveyor with a certificate attached, certifying that he
22 or she has accurately surveyed such addition and that the lots,
23 blocks, streets, avenues, alleys, parks, commons, and other grounds
24 are well and accurately staked off and marked. The addition may
25 become part of the municipality at such time as the addition is
26 approved by the legislative body if (a) after giving notice of
27 the time and place of the hearing as provided in section 19-904,

1 the planning commission and the legislative body both hold public
2 hearings on the inclusion of the addition within the corporate
3 limits. ~~Such hearings shall be separate from the public hearings~~
4 ~~held regarding approval of the addition~~ and (b) the legislative
5 body votes to approve the inclusion of the addition within the
6 corporate boundaries of the municipality in a separate vote from
7 the vote approving the addition. Such hearings shall be separate
8 from the public hearings held regarding approval of the addition.

9 If the legislative body includes the addition within the corporate
10 limits, the inhabitants of such addition shall be entitled to all
11 the rights and privileges, and shall be subject to all the laws,
12 ordinances, rules, and regulations of the municipality to which
13 such land is an addition. When such map or plat is made out,
14 acknowledged, and certified, and has been approved by the local
15 legislative body, the map or plat shall be filed and recorded in
16 the office of the register of deeds and county assessor of the
17 county. If the legislative body includes the addition within the
18 corporate limits, such map or plat shall be equivalent to a deed
19 in fee simple absolute to the municipality from the proprietor of
20 all streets, avenues, alleys, public squares, parks and commons,
21 and of such portion of the land as is therein set apart for public
22 and municipal use, or is dedicated to charitable, religious, or
23 educational purposes.

24 (5) The local legislative body shall have power by
25 ordinance to provide the manner, plan, or method by which land
26 within the corporate limits of any such municipality, or land
27 within the area designated by a city of the first class pursuant

1 to subsection ~~(1)~~ of section 16-902 or within the area designated
2 by a city of the second class or village pursuant to subsection
3 ~~(1)~~ of section 17-1002, may be subdivided, platted, or laid out,
4 including a plan or system for the avenues, streets, or alleys to
5 be laid out within or across the same, and to compel the owners
6 of any such land in subdividing, platting, or laying out the same
7 to conform to the requirements of the ordinance and to lay out and
8 dedicate the avenues, streets, and alleys in accordance therewith.
9 No addition shall have any validity, right, or privileges as an
10 addition, and no plat of land or, in the absence of a plat, no
11 instrument subdividing land within the corporate limits of any such
12 municipality or of any land within the area designated by a city
13 of the first class pursuant to subsection ~~(1)~~ of section 16-902 or
14 within the area designated by a city of the second class or village
15 pursuant to subsection ~~(1)~~ of section 17-1002, shall be recorded
16 or have any force or effect, unless the same be approved by the
17 legislative body, or its designated agent, and its or his or her
18 approval endorsed thereon.

19 Sec. 11. Original sections 14-2102, 15-268, 16-117,
20 16-230, 17-405.01, 17-563, and 19-916, Reissue Revised Statutes
21 of Nebraska, are repealed.